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 AGENCIES, LLC

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

Deon L. Thomas,

Plaintiff,

vs.

AMERICAN AGENCIES, LLC,

Defendants.

CASE NO. 5:12-cv-02128-VAP-OP

*Assigned to Courtroom 2
 The Hon. Virginia A. Phillips
 Magistrate Judge Oswald Prada*

**NOTICE OF RELATED CASES
 PURSUANT TO LOCAL RULE 83-
 1.3.1**

Filing Date: December 4, 2012

Defendant AMERICAN AGENCIES, LLC ("Defendant") hereby submits the
 following Notice of Related Cases pursuant to Local Rule 83-1.3.1.

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I. INTRODUCTION

The above-captioned case, styled *Deon L. Thomas V. American Agencies, LLC* (the “Thomas case”), which was filed on December 4, 2012, is related to *Jelyse Langston-Thomas v. American Agencies, LLC/NRA Group, LLC*, Case No. 5:12-cv-02127-VAP-DTB (the “Langston-Thomas case”), which was also filed in the United States District Court for the Central District of California. The Thomas case and the Langston-Thomas case involve the same Defendant and defense counsel, CARLSON & MESSER LLP, 5959 W. Century Boulevard, Suite 1214, Los Angeles, California 90045. Plaintiff Thomas is related to Plaintiff Langston-Thomas, and they both reside at the same address. Moreover, each case involves claims arising from the same debt that Defendant was attempting to collect. As each action calls for a determination of identical questions of law, there is a strong likelihood that these matters will require substantial duplication of labor if heard by different judges, thus satisfying the criteria for determining that these cases are related under Local Rule 83-1.3.1.

Based on the foregoing, and pursuant to Local Rule 83-1.3.1, the Thomas case and the Langston-Thomas case should be deemed related and therefore assigned to the district and magistrate judge to whom the lowest number case is assigned – in this case, to District Judge Virginia A. Phillips (District Judge assigned in both cases) and Magistrate Judge David T. Bristow.

II. THE CASES ARE RELATED PURSUANT TO LOCAL RULE 83-1.3.1

The Thomas case and the Langston-Thomas case are related pursuant to Local Rule 83-1.3.1 which provides in pertinent part that an action or proceeding is related to another action or proceeding where both of them appear:

- “(a) To arise from the same or a closely related transaction, happening or event; or
- (b) To call for determination of the same or substantially related or similar questions of law and fact; or

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(c) For other reasons would entail substantial duplication of labor if heard by different judges; or

(d) To involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c is present.”

Here, the actions arise from the same transaction, a debt which Defendant was attempting to collect from Plaintiff Thomas, and Plaintiff Thomas and Langston-Thomas are suing Defendant for Defendant’s communications regarding the debt. Therefore, the Thomas case and the Langston-Thomas case should be deemed related based on Local Rule 83-1.3.1(a).

Second, the Thomas case and the Langston-Thomas case both call for a determination of the same or substantially similar questions of law and fact. Plaintiff Thomas and Plaintiff Langston-Thomas both sued Defendant for claims under the Fair Debt Collection Practices Act (“FDCPA”) and the Rosenthal Fair Debt Collection Practices Act (“the Rosenthal Act”). Since these actions involve the same transaction and same claims, the Thomas case and the Langston-Thomas case should be deemed related based on Local Rule 83-1.3.1(b).

Furthermore, the Thomas case and the Langston-Thomas case should be assigned and heard together before one judge. As described above, both cases meet the criteria set forth in Local Rule 83-1.3.1. Therefore, the duplication of judicial efforts should be avoided by assigning each case to the District Judge and Magistrate Judge currently assigned to the lowest numbered case –which in this instance is *Jelyse Langston-Thomas v. American Agencies, LLC/NRA Group, LLC*.

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1 **III. CONCLUSION**

2 As demonstrated above, the Thomas case and the Langston-Thomas case are
3 related pursuant to Local Rule 83-1.3.1. Therefore, both cases should be assigned
4 to the Hon. District Judge Virginia A. Phillips and the Hon. Magistrate Judge David
5 T. Bristow, the District Judge and Magistrate Judge currently assigned to the lowest
6 numbered case, *Jelyse Langston-Thomas v. American Agencies, LLC/NRA Group,*
7 *LLC.*

8
9 DATED: February 28, 2013

CARLSON & MESSER LLP

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11 By /s/ J. Grace Felipe
12 Jeanne L. Zimmer
13 J. Grace Felipe
14 Attorneys for Defendant,
15 AMERICAN AGENCIES,
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[illegible]

I am over the age of 18 and not a party to the within action; my business address is: 5959 W. Century Boulevard, Suite 1214, Los Angeles, California 90045.

SEE ATTACHED SERVICE LIST

[] **ELECTRONIC MAIL:** Based on Court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the said documents to be sent to the persons at the electronic mail addresses listed below (see attached service list). I did not receive within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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[X] (FEDERAL) - I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Kathryn A. Brown
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Deon L. Thomas v. American Agencies, LLC
Our File No. 07417.00

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